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Serial No.10/714,453

Attorney Docket # 1031-15

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: John Richard Myers et al.

Examiner: Gary Chapman Hoge

Serial No.: 10/714, 453

Group Art Unit: 3611

Filed: 14 November 2003

Title: COLLAPSIBLE DISPLAY FOR RETAIL
OUTLET

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement dated May 24, 2005, for which a shortened statutory period of one month ending June 24, 2005 was set in which to respond, Applicant elects Species II of Figure 3 reading on claims 1-12 for further prosecution.

Applicant respectfully traverses the restriction requirement. It is respectfully submitted that Figures 1 & 2 and Figure 3 are two embodiments of a single invention and that all claims (claims 1-12) currently pending in this application read on each of Figures 1, 2 and 3. Thus, it is respectfully submitted that the embodiments of Figures 1 & 2 and Figure 3 are not independent of each other. As recited in MPEP 806.04(e), "Claims are definitions of inventions" and a generic claim may include two or more disclosed embodiments. Herein, claim 1 is the sole independent claim describing the invention, with the remaining claims dependent on claim 1. Furthermore, Claim 1 is cited in the office action as being generic and claims 2 – 12 are also generic.

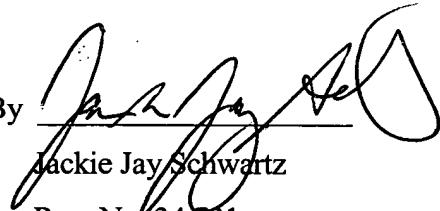
Additionally, as Figures 1 & 2 and Figure 3 merely represent two embodiments of a single invention, Applicant respectfully submits that only a single search in a single art unit need be performed. Thus, it is respectfully submitted that the search to be performed would not be unduly burdensome on the Examiner. As claims 1-12 all read on each of Figures 1, 2 and 3, Applicant respectfully submits that this restriction requirement is improper and should be withdrawn.

Applicant acknowledges that upon the allowance of a generic claim, all additional species written in dependent form or otherwise including all limitations of the generic claim will be considered.

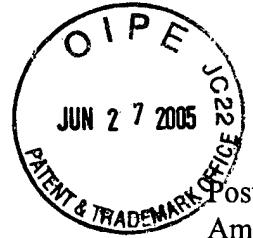
No fee is believed due. However, if a fee is due please this fee to Deposit Account No. 50-2828.

Early and favorable consideration on the merits is respectfully requested.

Respectfully submitted,
John Richard Myers et al.

By 
Jackie Jay Schwartz
Reg. No. 34,721

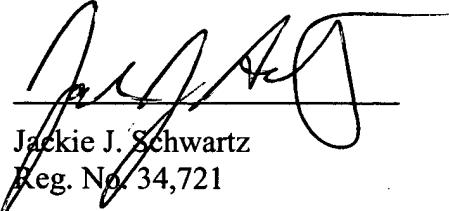
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Dated: June 23, 2005



CERTIFICATE OF MAILING under 37 C.F.R. §1.8

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: June 23, 2005



Jackie J. Schwartz
Reg. No. 34,721